

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
WESTERN DIVISION

ELIZABETH STEFFENBERG,

Plaintiff,

v.

T. GENE GILMAN, STEVEN GILMAN, THE GILMAN INSURANCE AGENCY, INC., DAVID M. SCOLL, ARBOR SECURITIES, LTD., ALLIANCE INVESTMENT MANAGEMENT, COMMONWEALTH FINANCIAL HOLDINGS INC., FINANCIAL LINKS, INC., T. GILMAN & CO., LTD., FIRST ALLIED SECURITIES, INC., PENSON FINANCIAL SERVICES, INC., AVIVA USA CORPORATION, TRADETEK, LTD. and TRADETEK, LLC,

Defendants.

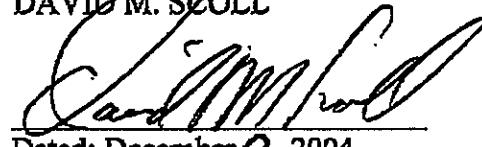
CIVIL ACTION NO. 04-40113-FDS

**LOCAL RULE 16.1(D)(3) CERTIFICATION ON BEHALF OF DEFENDANT DAVID M. SCOLL**

Pursuant to Rule 16.1(D)(3) of the Local Rules for the District Court, District of Massachusetts, the Defendant David M. Scoll (hereinafter "Scoll") and his counsel certify that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course-and various alternative courses – of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

THE DEFENDANT,  
DAVID M. SCOLL



Dated: December 2, 2004

His Attorneys,

/s/ Sara Discepolo

George C. Rockas, BBO # 544009  
Sara Discepolo, BBO # 628721  
WILSON, ELSER, MOSKOWITZ, EDELMAN &  
DICKER LLP  
155 Federal Street  
Boston, MA 02119  
Tel 617-422-5300  
Dated: December 2, 2004

**CERTIFICATE OF SERVICE**

I, Sara Discepolo, hereby certify that on December 2, 2004, I electronically filed the foregoing *Local Rule 16.1(D)(3) Certification on Behalf of David M. Scoll* and caused to be served a courtesy copy of the same to all parties/counsel of record by mailing the same via first class mail, postage prepaid, to the following parties:

Christine S. Collins, Esq.  
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/s/ Sara Discepolo  
Sara Discepolo